



# City Council Agenda

Council President  
**Tom Boyajian**

Councilmembers

**Garry Bredefeld**, Acting Council President  
**Chris Mathys**,  
**Henry Perea**

**Sal Quintero**  
**Daniel Ronquillo**  
**Ken Steitz**

City Manager  
**Jeffrey M. Reid**

City Clerk  
**Rebecca E. Klisch**

City Attorney  
**Hilda Cantú Montoy**

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, signers, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 498-1321

The City Council welcomes you to this meeting.

**TUESDAY, JANUARY 25, 2000**

**IF YOU WOULD LIKE TO SPEAK, FILL OUT A SPEAKER REQUEST FORM AVAILABLE FROM THE CITY CLERK'S OFFICE AND IN THE COUNCIL CHAMBERS. THE AGENDA IS AVAILABLE ON ([www.ci.fresno.ca.us](http://www.ci.fresno.ca.us)). THE COUNCIL MEETING CAN ALSO BE HEARD LIVE AT THE SAME WEB SITE ADDRESS.**

**8:30 A.M.**

## **JOINT MEETING WITH THE REDEVELOPMENT AGENCY**

Approve Agency minutes of January 4, 2000

**Action Taken:**

## **AGENCY GENERAL ADMINISTRATION**

- A. Consider approval of a Professional Services Agreement with the firm RTKL Associates, Inc. for the purpose of developing an updated Master Plan of the Uptown Area that takes into consideration current activities and proposed projects and creates a coordinated action plan (***Agency action***)

**Action Taken:**

1. Consider direction to the Redevelopment Director for inclusion in fiscal year 2001 budget, \$100,000 for Uptown for implementation streetscape improvements - Member Perea (***Agency action***)

**Action Taken:**

8:30 A.M.

**JOINT MEETING WITH THE REDEVELOPMENT AGENCY CONTINUED**

- B. Authorize staff to enter into negotiations for agreements designed to address affordable housing needs using Tax Increment 20% Housing Set-Aside Funds for: ***(Council and Agency action)***
1. A Development Agreement Neighborhood Opportunities for Affordable Housing, Inc., (NOAH) for construction of six (6) houses near N. Eleventh Street and E. Home Avenue
  2. An agreement for housing rehabilitation in the neighborhood near the proposed six-house development near N. Eleventh Street and E. Home Avenue;
  3. A Development Agreement with Neighborhood Opportunities For Affordable Housing Inc., for construction of one (1) house in the southwest Fresno General Neighborhood Renewal Area at the corner of "C" Street and Mono Street; and
  4. An agreement with the Housing Authority for housing rehabilitation in a focus area around the Kearney Palms Shopping Center in the Southwest Fresno General Neighborhood Renewal Area
- Action Taken:**

**ADJOURN AGENCY**

**9:00 A.M. COUNCIL ROLL CALL**

Invocation by Pastor Alex Maldonado of God's Family Church  
Pledge of Allegiance to the Flag

Proclamation of "PATRICIA (BE BE) LONG DAY" - Council President Boyajian

Presentation of Certificates of Recognition to Clovis West Area Elementary Spelling Bee Participants - Acting President Bredefeld

Presentation of Recognition Awards to the Students on the Principal's List at Malloch Elementary School - Councilmember Mathys

**COUNCIL ACTION OF UNSCHEDULED ITEMS, IF ANY, SHALL BE LIMITED TO REFERRING THE ITEM TO STAFF FOR A REPORT AND POSSIBLE SCHEDULING ON A FUTURE COUNCIL AGENDA FOR EACH MATTER CONSIDERED BY THE COUNCIL, THERE WILL FIRST BE A STAFF PRESENTATION, FOLLOWED BY A PRESENTATION FROM THE PROJECT APPLICANT. TESTIMONY FROM THOSE IN ATTENDANCE WILL THEN BE TAKEN. ALL TESTIMONY GIVEN WILL BE LIMITED TO THREE MINUTES PER PERSON.**

**THE THREE LIGHTS ON THE PODIUM NEXT TO THE MICROPHONE WILL INDICATE THE AMOUNT OF TIME REMAINING FOR THE SPEAKER. THE GREEN LIGHT WILL BE TURNED ON WHEN THE SPEAKER BEGINS. THE YELLOW LIGHT WILL COME ON WITH ONE MINUTE REMAINING AND ONE TONE WILL SOUND. THE SPEAKER SHOULD BE COMPLETING THE TESTIMONY BY THE TIME THE RED LIGHT COMES ON AND TWO TONES SOUND, INDICATING THAT TIME HAS EXPIRED.**

Approve minutes of January 11 and 18, 2000

**Action Taken:**

Approve Agenda

**Action Taken:**

Adopt Consent Calendar

**Action Taken:**

***\*ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

## **TIME SCHEDULED HEARINGS AND MATTERS**

**10:00 A.M. HEARING** regarding City of Fresno Community Facilities District No. 2, Annexation 16 (Tract No. 4824)

**Action Taken:**

- a. **RESOLUTION** - Annexing territory to Community Facilities District No. 2 and authorizing the levy of a special tax

**Action Taken:**

- b. **RESOLUTION** - Calling special mailed-ballot election

**Action Taken:**

- c. **RESOLUTION** - Declaring election results

**Action Taken:**

- d. \* **BILL** - Levying a special tax for the property tax year 2000-2001 and future tax years within and relating to Community Facilities District No.2, Annexation No. 16, City of Fresno, California

**Action Taken:**

**10:10 A.M.** Appearance by American Cancer Society to promote Cancer Symptom Cards

**Action Taken:**

**10:15 A.M.** Appearance by Roger Lenz to discuss the conditional use permit for land development at Church and Elm Streets for the Wilburforce Project

**Action Taken:**

**10:20 A.M.** Appearance by David Wells to discuss a joint venture of the City of Fresno and Electric Vehicles of America (EVA) to seek grant funds to purchase 2 hybrid electric transit buses

**Action Taken:**

**10:25 A.M.** Appearance by Barbara Hunt to discuss the Tenant Select Program and low income housing

**Action Taken:**

**11:00 A.M. HEARING** regarding City of Fresno Community Facilities District No. 3 (Palm Bluffs Corporate Center Public Improvement Project)

**Action Taken:**

1. **RESOLUTION** - Calling special election to consider detachment of territories from, annexation of territories to and changes to facilities provided by Community Facilities District No. 3

**Action Taken:**

2. **RESOLUTION** - Canvassing the results of the January 25, 2000 election held within Community Facilities District No. 3 and within territories proposed to be annexed thereto

**Action Taken:**

3. **RESOLUTION** - Determining and ordering changes in public facilities financed by the District

**Action Taken:**

4. \* **BILL** - Authorizing levy of a special tax within territories annexed to Community Facilities District No. 3

**Action Taken:**

***\*ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

## **TIME SCHEDULED HEARINGS AND MATTERS CONTINUED**

**11:30 A.M.** Award a contract for a red traffic light enforcement program (pilot program), contingent upon identification of a funding source

**Action Taken:**

**2:00 P.M.#1** **DISCUSSION OF CONTESTED CONSENT ITEMS (IF ANY)**

**2:00 P.M.#2** **CLOSED SESSION**

**A. PUBLIC EMPLOYEE PERFORMANCE EVALUATION**

Government Code Section 54957

**Title:** City Attorney

**Action Taken:**

**B. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Government Code Section 54956.9, Subdivision (a)**

- 1. Case Name:** State of California v. Intel Corporation, et al. (Toshiba)
- 2. Case Name:** Yolanda Moralez v. City of Fresno
- 3. Case Name:** Community Redevelopment Agency v. Chung, Case No. BC192572 (Los Angeles Superior Court) (Amicus Brief)
- 4. Case Name:** James Conrad v. City of Fresno
- 5. Case Name:** Charles Turney v. City of Fresno
- 6. Case Name:** Morales, McAvoy, Zamora and "John Doe" v. City, FPD, Chief Winchester, Officers Williams, Bridges, Osuna, Franks Fern and Gray
- 7. Case Name Unspecified:** Disclosure would jeopardize existing settlement negotiations

**Action Taken:**

**C. CONFERENCE WITH LEGAL COUNSEL - PENDING LITIGATION - Government Code Section 54956.9, Subdivision (c)**

**Consider Initiating Litigation:**

City of Fresno v. P.R. Farms, et al. (Title claims - Pinedale/Sugar Pine Trail) - Councilmember Perea

**Action Taken:**

**D. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION - Government Code Section 54956.9, Subdivision (b)**

- 1. Litigation:** City of Fresno v. Dan Green's Recycling

**Action Taken:**

**E. CONFERENCE WITH LEGAL COUNSEL - FRIEND-OF-THE-COURT PARTICIPATION**

- 1. Case Name:** Community Redevelopment Agency v. Chung, Case No. BC192572 (Los Angeles Superior Court) (Amicus Brief)

**Action Taken:**

***\*ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

## TIME SCHEDULED HEARINGS AND MATTERS CONTINUED

### 2:00 P.M.#3 **JOINT CLOSED SESSION WITH THE REDEVELOPMENT AGENCY**

- F. CONFERENCE WITH REAL PROPERTY NEGOTIATOR** - Government Code Section 54956.8 (Councilmember Ronquillo)

**Property:** Bounded by Tulare, Broadway/"H" and Inyo Streets and the Fulton/Broadway alley (proposed multipurpose/baseball stadium site)

**Negotiating parties:** City of Fresno, Redevelopment Agency of the City of Fresno, Fresno Diamond Group/Fresno Grizzlies LLP

**Under Negotiation:** Instructions to negotiators concerning price, terms of payment, and other lease terms and conditions with Fresno Grizzlies LLP

- A.** Report from Council Baseball Committee regarding recent meetings - Councilmember Ronquillo

### 2:30 P.M. Workshop and bill for introduction on clean air and smog prevention

- A. WORKSHOP** on air quality issues, City fleet and clean fuel infrastructure planning as set forth in the San Francisco Healthy Air and Smog Prevention Ordinance - Councilmember Perea

**Action Taken:**

- B. \* BILL (For introduction)** - Adding a new Article 19 to Chapter 9 of the Fresno Municipal Code establishing a Fresno Clean Air Advisory Committee. The Fresno Clean Air Advisory Committee will be responsible for developing and recommending strategies that will be used to improve air quality in the City of Fresno and the San Joaquin Valley

**Action Taken:**

### 3:00 P.M. **WORKSHOP** on project labor agreements - Councilmember Perea

**Action Taken:**

### 1A. **GENERAL CONSENT CALENDAR**

(ALL CONSENT CALENDAR ITEMS ARE CONSIDERED TO BE ROUTINE AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS REQUESTED, IN WHICH EVENT THE ITEM WILL BE REMOVED FROM THE CONSENT CALENDAR AND CONSIDERED AT 2:00 P.M.)

- 1.** Approve Amendment No. 1 to a temporary use permit issued by the City of Fresno To Skywest Airlines, Inc.

**Action Taken:**

***\*ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

1A. **GENERAL CONSENT CALENDAR ITEMS CONTINUED**

2. Approve changes due to the election of a new Council President as follows:
  - a. \* **RESOLUTION** - 65<sup>th</sup> amendment to AAR No. 99-181 moving \$9,400 in additional salary for the Council President and \$20,600 for the Executive Assistant to the Council from the Council support budget to the District 1 budget (*Requires 5 affirmative votes*)  
**Action Taken:**
  - b. \* **RESOLUTION** - 7<sup>th</sup> amendment to PAR No. 99-182 moving the position of Executive Assistant to the Council from District 4 to District 1  
**Action Taken:**
3. Approve agreement with MBIA Muniservices Company to provide compliance services in connection with the transient room tax ordinance  
**Action Taken:**
4. **RESOLUTION** - Declaring 88 old Smith-Wesson handguns as surplus to the needs of the City and authorizing the Chief of Police of the City of Fresno to destroy these handguns  
**Action Taken:**
5. Approve an agreement with Oracle Corporation for Oracle Database software site license for unlimited users, annual technical support and related components and services  
**Action Taken:**
  - a. Approve a five (5) year lease to purchase oracle database software site license for unlimited users including maintenance and technical support for the first year and related components and services  
**Action Taken:**
6. Approve a Professional Services Agreement with Parsons Brinckerhoff, Inc., for a construction documents review and preliminary construction management services for the Fresno Yosemite International Airport Terminal and Concourse Expansion Project under FAA AIP Grant Nos. 22, 24, 25, 28, 29, 31 & 32  
**Action Taken:**
7. **RESOLUTION** - Ordering the summary vacation of the remaining relinquishment of access rights along the west side of Blackstone Avenue between Alluvial and Nees Avenues (*Pending approval of resolution by City Attorney's Office*)  
**Action Taken:**
8. Approve the amendment to the joint maintenance of drainage basin parks agreement with the Fresno Metropolitan Flood Control District to extend time of operation for basin "AH-1," a designated dog park  
**Action Taken:**
9. Approve extension of agreement to provide fire protection to Valley Children's Hospital  
**Action Taken:**

***\*ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

1B. **CONSENT CALENDAR - BILL FOR INTRODUCTION - PINK TABS**

2. **PLANNING AND ZONING ADMINISTRATION**

3. **GENERAL ADMINISTRATION**

- A. **REPORT** - Recommending an amendment to the Fresno Municipal Code concerning the membership of Airport Public Safety Officers, Supervisors and Manager
- a. \* **BILL NO. B-1 - (Intro. 1/11/2000)** - Amending Subsection (p) of Section 2-1701 of the Fresno Municipal Code, relating to the membership of the job class of Airport Public Safety Manager in the Fire and Police Retirement System  
**Action Taken:**
- B. \* **BILL NO. B-2 - (Intro. 1/11/2000)** - Amending Subsection (a) and adding Subsection (f) of Section 3-202 of the Fresno Municipal Code relating to the disposition of retired police canines  
**Action Taken:**
- C. \* **BILL NO. B-6 - (Intro. 1/11/2000)** - Amending Fresno Municipal Code Section 2-1203 relating to fiscal administration, revising procedure for presentation and processing of claims for money or damages (including claims relating to contracts) pending litigation, and workers' compensation claims, formalizing administrative practice and making housekeeping amendments  
**Action Taken:**
- D. Approve increasing the maximum loan amount for projects in the Owner-Occupied Housing Rehabilitation Program  
**Action Taken:**

4. **CITY ATTORNEY**

5. **CITY COUNCIL**

- A. Council authorization for the release and payment of amounts due and owing to general contractor for construction of Exhibit Hall Expansion Project - Councilmember Perea  
**Action Taken:**
- B. Request City Manager or designee to provide owner of the property located at 6493 N. Golden State with a plan line location as required for Herndon Avenue improvements - Councilmember Mathys  
**Action Taken:**
- C. \* **RESOLUTION** 68th amendment to AAR No. 99-181 appropriating \$1,000 of District 6 and \$2,600 of District 7's general fund infrastructure budget to pay for the Convention Center fees for the Fresno Arts Museum event (**Requires 5 affirmative votes**) - Councilmember Perea  
**Action Taken:**

***\*ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

5.

**CITY COUNCIL CONTINUED**

- D. \* **RESOLUTION** - 67<sup>th</sup> amendment to AAR No. 99-181 appropriating \$7,300 of District 5's general fund infrastructure budget to fund improvements at the Mosqueda Center (***Requires 5 affirmative votes***) - Councilmember Quintero  
**Action Taken:**
- E. Approve amended schedule of Council meetings for 2000 to cancel meetings set for April 18, and October 10, 2000 - Council President Boyajian  
**Action Taken:**
- F. **RESOLUTION** - Supporting the 2000 draft Measure “C” expenditure plan with modifications - Councilmember Steitz  
**Action Taken:**
- G. **RESOLUTION** - Supporting Propositions 12 and 13 relating to Californians for safe neighborhoods, parks and clean water - Councilmember Perea  
**Action Taken:**
- H. Request City Manager to direct appropriate staff to identify appropriate zoning and locations for greenwaste recycling activities - Councilmember Ronquillo  
**Action Taken:**

6.

**CITY/COUNTY INTERGOVERNMENTAL RELATIONS**

7.

- UNSCHEDULED ORAL COMMUNICATIONS** - You may address the City Council at the conclusion of the Council meeting regarding items that are not listed on the agenda. The policy is to limit your presentation to three (3) minutes pursuant to Ordinance No. 96-67. Please be present at the conclusion of the meeting if you wish to be heard. Anyone wishing to be placed on an agenda for a specified topic should contact the City Clerk Department at least 10 days prior to the desired date of appearance.



## **SCHEDULED COUNCIL HEARINGS AND MATTERS**

- Feb. 1 - 9:00 A.M.** Presentation of Certificates to Employees of the Winter Quarter (*Reception immediately following*)
- Feb. 1 - 10:00 A.M.** **HEARING** to consider a resolution of necessity for construction of E. Behymer at the Enterprise Canal
- Feb. 1 - 10:45 A.M.** **HEARING** re: Rezone Appl. No. 99-40, property located on the northwest corner of Ventura and "R" Street, change of zoning from CM to C4
- Feb. 1 - 11:00 A.M.** **HEARING** re: P.A. No. 99-18, Rezone Appl. No. 99-27, filed by Scott Negri
- Feb. 8 9:30 A.M.** **HEARING** re: P.A. No. 99-23, Rezone Appl. No. 99-36, filed by Sterling Swartout
- Feb. 8 - 10:00 A.M.** **HEARING** re: Community Facilities District No. 2, Annexation No. 17 - Tract No. 4582
- Feb. 8 - 10:30 A.M.** **CONTINUED HEARING** to consider Plan Amendment No. 99-16 and Rezoning Application No. R-99-25, filed by the City of Fresno, Public Works Department
- Feb. 8 - 11:00 A.M.** **HEARING** to consider a resolution of necessity for construction of N. San Pablo
- Feb. 15 9:00 A.M.** Presentation of Certificate by the Police Department to recipients of the Safe Neighborhood Apartment Program (*Reception immediately following*)
- Feb. 15 - 10:00 A.M.** **HEARING** re: P.A. No. 99-28, Rezone Appl. R-99-42, filed by Westcal, Inc.
- Feb. 22 - NO MEETING DUE TO MONDAY HOLIDAY**
- Feb. 29 - 5:30 P.M.** **HEARING** re: P.A. No. A-99-03, Rezone Appl. R-99-06, filed by Roger E. Petersen

***\*ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***